

PUBLIC NOTICE NO. MT-08-13

August 11, 2008

PURPOSE OF PUBLIC NOTICE

The purpose of this notice is to state the Department's intention to issue wastewater discharge permits to the facilities listed in this notice. These permits are issued by the Department under the authority of 75-5-402, Montana Code Annotated (MCA); the Administrative Rules of Montana (ARM) 17.30.1301 *et seq.*, Montana Pollutant Discharge Elimination System (MPDES); and Sections 402 and 303 of the Federal Clean Water Act. The Water Protection Bureau has prepared draft permits for the facilities listed below. Copies of the draft permits, statements of basis, and environmental assessments are available upon request from the Water Protection Bureau or on the Department's website [www.deq.mt.gov](http://www.deq.mt.gov).

APPLICANT INFORMATION

APPLICANT:	Stillwater Mining Company
FACILITY NAME:	Stillwater Mine
FACILITY LOCATION:	Township 5 S, Range 15 E, Sections 15, 21, 22 Stillwater County
RECEIVING WATER:	Outfall 001: Stillwater River Outfall 002: Class I ground water Outfall 003: Class I ground water
PERMIT NUMBER:	MT0024716

Stillwater Mining Company operates an underground platinum and palladium mine near Nye, Montana. Ore is milled on-site using froth floatation methods. Outfall 001 is a direct discharge to the Stillwater River. The actual discharge structure has not been constructed or used to date. Normal operations at the mine is to discharge excess mine drainage through infiltration ponds, Outfalls 002 and 003. The draft permit proposes effluent limits and monitoring for Outfall 001, Outfall 002, and Outfall 003, including flow, pH, total suspended solids (TSS), Oil and Grease (O&G), Whole Effluent Toxicity (WET; applicable only to Outfall 001), nutrients, and metals.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total

maximum daily loads (TMDLs) under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CV 97-35-M-DWM, District of Montana, Missoula Division.

The DEQ finds that the issuance of this proposed permit does not conflict with the order because it is not a new permit and the renewed permit will not increase the pollutant load to the Stillwater River.

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APPLICANT: US Army Corps of Engineers (USACE)  
17887 Highway 37  
Libby, MT 59923-7828

FACILITY NAME: Libby Dam Project

FACILITY LOCATION: Township 31N, Range 29W, Section 33  
Lincoln County

Outfalls 001, 002, and Outfall 003A through E:  
48°24'39" N latitude, 115°53'26" W longitude.

RECEIVING WATER: Outfalls 001, 002, and Outfall 003A through E:  
Kootenai River

PERMIT NUMBER: MT0022390

This Public Notice is for the renewal of Montana Pollutant Discharge Elimination System (MPDES) permit number MT0022390.

USACE owns and operates the Libby Dam Project, located east of Libby, Montana, on the Kootenai River. The permittee has requested coverage for three outfalls. Outfall 001 is for the previously permitted wastewater treatment plant discharge and two new outfalls 002 and 003A through E for the powerhouse dewatering sump and generator non-contact cooling water discharges, respectively.

New limits are proposed for Outfall 001 for *E. coli* bacteria and Total Residual Chlorine. Increased sampling frequency will monitor effluent compliance with maximum daily, 7-day and 30-day limitations. While there are no new limits proposed for Outfalls 002 and 003A through E, self-monitoring requirements are proposed.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild*

Swan v. U.S. EPA, *et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because: 1) the discharge is in compliance with the provisions of 75-5-303, MCA (Nondegradation Policy); 2) the discharge will not cause a decline in water quality for the parameters for which the water body is listed.

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APPLICANT: US Bureau of Reclamation (USBOR)  
Grand Coulee Power Office  
P.O. Box 620  
Grand Coulee, WA 99133-0620

FACILITY NAME: Hungry Horse Dam and Power Plant

FACILITY LOCATION: Township 30N, Range 19W, Section 27  
Flathead County

Outfall 001: 48°20'29" N latitude, 114°00'51" W longitude.

Outfall 002, 003, and Outfall 004A through D:  
48°20'31" N latitude, 114°00'53" W longitude.

RECEIVING WATER: Outfalls 001, 002, Outfall 003, and 004A through D:  
South Fork Flathead River.

PERMIT NUMBER: MT0022578

This Public Notice is for the renewal of Montana Pollutant Discharge Elimination System (MPDES) permit number MT0022578.

USBOR owns and operates Hungry Horse Dam and Power Plant, located southeast of Hungry Horse, Montana, on the South Fork Flathead River. The permittee has requested coverage for four outfalls. Outfall 001 is for the previously permitted wastewater treatment plant discharge and three new outfalls 002, 003, and 004A through D for the station unwatering sump, station drainage sump, and generator non-contact cooling water discharges, respectively.

New limits are proposed for Outfall 001 for *E. coli* bacteria and Total Residual Chlorine. Increased sampling frequency will monitor effluent compliance with 7-day and 30-day limitations. While there are no new limits proposed for Outfalls 002, 003, and 004A through D, self-monitoring requirements are proposed.

On September 21, 2000, a U.S. District Judge issued an order stating that until all necessary total

maximum daily loads under Section 303(d) of the Clean Water Act are established for a particular water quality limited segment, the State is not to issue any new permits or increase permitted discharges under the MPDES program. The order was issued in the lawsuit *Friends of the Wild Swan v. U.S. EPA, et al.*, CA 97-35-M-DWM, District of Montana, Missoula Division. The DEQ finds that the issuance of this proposed permit does not conflict with the order because: 1) the discharge is in compliance with the provisions of 75-5-303, MCA (Nondegradation Policy); and 2) the discharge will not cause a decline in water quality for the parameters for which the water body is listed.

### PUBLIC COMMENT

Public comments are invited **ANYTIME PRIOR TO CLOSE OF BUSINESS September 10, 2008.** Comments may be directed to the DEQ Permitting & Compliance Division, Water Protection Bureau, PO Box 200901, Helena, MT 59620. All comments received or postmarked **PRIOR TO CLOSE OF BUSINESS September 10, 2008** will be considered in the formulation of final determinations to be imposed on the permits. If you wish to comment electronically, you may e-mail Dianne Beaman at [WPBPublicNotices@mt.gov](mailto:WPBPublicNotices@mt.gov).

During the public comment period provided by the notice, the Department will accept requests for a public hearing. A request for a public hearing must be in writing and must state the nature of the issue proposed to be raised in the hearing (ARM 17.30.1373).

The Department will respond to all substantive comments and issue a final decision within sixty days of this notice or as soon as possible thereafter. Additional information may be obtained upon request by calling (406) 444-3080 or by writing to the aforementioned address. The complete administrative record, including permit application and other pertinent information, is maintained at the Water Protection Bureau office in Helena and is available for review during business hours.

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